

The Debate over E-cigarette Policymaking

Advocacy Coalitions to Oppose State and Local E-cigarette Policymaking Changed after Major Tobacco Companies Entered the Market

New York, New York, September 13, 2016—Big tobacco has become a major player in e-cigarette policymaking, especially at the state level, employing the same political tactics and allied groups they used to protect the cigarette market, says a new study in the September 2016 issue of *The Milbank Quarterly*. The study is one of the first to look at the advocacy process in debates over state and local e-cigarette policymaking. As with earlier efforts to restrict tobacco products, health advocates had the most success at the local rather than the state level, according to authors Elizabeth Cox, Rachel Ann Barry, and Stanton Glantz of the Center for Tobacco Control Research at the University of California, San Francisco. While state legislation is possible, local governments remain a viable option for overcoming cigarette company interference in the policymaking process.

“We observed a stark difference in the ways in which advocacy around e-cigarette policymaking evolved after the cigarette companies entered the US market and the subsequent policy debates in 2013,” said Glantz. “Our research highlights the importance of local governments maintaining control over the e-cigarette policy environment.”

Background

E-cigarettes entered the US market in 2007 without federal regulation. In 2009, local and state policymakers began to identify ways to regulate the sale, use, and marketing of e-cigarettes. A variety of advocacy coalitions—including legislators and health officials, cigarette companies, national voluntary health organizations, e-cigarette companies, and user/retail groups—entered the debate, either promoting or opposing state and local e-cigarette policymaking.

The researchers used qualitative case study methodology to analyze e-cigarette policymaking in four cities and corresponding states: New York City, NY; Los Angeles, CA; Duluth, MN; and Chicago, IL. They conducted interviews with people involved in e-cigarette policy debates, and gathered documentary evidence of policy debates, utilizing legislative records, newspaper articles, financial disclosure reports, NewsBank, Google, Twitter, and Facebook.

Findings

Examining advocacy coalitions provided the researchers with a framework with which to understand regulating e-cigarettes in a complex policy field. Key findings include:

- Initial opposition to local and state legislation came from e-cigarette users and retailers.
- After cigarette companies entered the market, e-cigarette policy debates increasingly resembled comparable tobacco control debates from the 1970s through the 1990s.

- The national offices of the voluntary health organizations were reluctant to enter e-cigarette debates, as they were in the 1980s with tobacco control debates, because they considered these restrictions controversial.
- Legislation passed at the local level because of the committed efforts of local health departments and leadership from experienced politicians but failed at the state level due to intense cigarette company lobby without countervailing pressure from the voluntary health organizations.

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